

# Exhibit 5

CONFIDENTIAL  
Christian Ekstrand - May 7, 2021

Page 183

1                   UNITED STATES DISTRICT COURT  
2                   SOUTHERN DISTRICT OF NEW YORK  
3                   MASTER DOCKET 18-MD-2865 (LAK)  
4                   CASE NO. 18-CV-09797

5                   IN RE:  
6                   CUSTOMS AND TAX ADMINISTRATION OF  
7                   THE KINGDOM OF DENMARK  
8                   (SCATTEFORVALTNINGEN) TAX REFUND  
9                   SCHEME LITIGATION

10  
11  
12                   \*\*\*\*\*  
13                   \*   \*  
14                   \*                   CONFIDENTIAL                   \*  
15                   \*   \*  
16                   \*\*\*\*\*

17                   REMOTE VTC VIDEOTAPED DEPOSITION UNDER ORAL  
18                   EXAMINATION OF  
19                   CHRISTIAN EKSTRAND - VOLUME 11

20                   DATE: May 7, 2021

21

22

23

24

25                   REPORTED BY: CHARLENE FRIEDMAN, CCR, RPR, CRR

CONFIDENTIAL  
Christian Ekstrand - May 7, 2021

Page 194

1                   VIDEO OPERATOR: We are now on  
2 record. This is the continued remote video  
3 deposition of Christian Ekstrand.

4                   Today is Friday, May 7, 2020. The  
5 time is now 6:01 a.m. New York time.

6                   We are here in the matter of In Re  
7 Custom and Tax Administration Kingdom of  
8 Denmark et al. All counsel have been noted  
9 on record.

10                  My name is Jose Rivera, remote  
11 video technician on behalf of Gregory Edwards  
12 LLC. At this time, will the reporter,  
13 Charlene Friedman, on behalf of Gregory  
14 Edwards LLC, please re-swear in the  
15 interpreter and the witness.

16

17 I N G D R   G R E G E R S E N ,

18                  Called as the official interpreter in  
19 this action, was duly sworn to faithfully translate  
20 the questions to the witness from English to  
21 Danish, and the answers from Danish to English.

22

23 C H R I S T I A N   E K S T R A N D ,

24                  called as a witness, having been first duly  
25 sworn according to law, testifies as follows:

CONFIDENTIAL  
Christian Ekstrand - May 7, 2021

Page 197

1 A No.

2 Q Who did you directly report into?

3 A Into my department manager, Lilli

4 Drost.

5 Q Okay. So what is the first you  
6 learn about this issue in June of 2015?

7 A We had a meeting at the time that  
8 we --

9 MR. SCHOENFELD: I'm sorry. Can we  
10 pause you, Ms. Gregersen? We're having  
11 trouble hearing you. It's breaking up on  
12 your end.

13 A We had a meeting at the time for  
14 the whole Special Control department or  
15 function. I'm not quite sure whether it was  
16 called Special Control at the time, but that  
17 was it.

18 It was a kind of a theme or topic  
19 they -- at the meeting, I was contacted by  
20 our deputy director at the time, Ann  
21 Munksgaard, who had received reports through  
22 a Danish lawyer who, on behalf of a client,  
23 had reported that somebody or somebodies was  
24 defrauding Denmark with respect to dividend  
25 tax.

CONFIDENTIAL  
Christian Ekstrand - May 7, 2021

Page 202

1 e-mail that he suspects the fraud to involve  
2 around 500 million kroner, correct?

3 A Yes, that's correct.

4 Q Is that the largest case that was  
5 ever referred to you at that time in terms of  
6 the kroner value of the case?

7 A Yes.

8 Q On the 17th, Mr. Amstrup e-mails  
9 again, correct?

10 A Yes, that's correct.

11 Q And he says -- he again mentions a  
12 gentleman named Sanjay Shah, correct?

13 A Yes, that's correct.

14 Q And he offers to provide a list of  
15 companies that allegedly acted as fictitious  
16 owners of the shares, correct?

17 A Yes.

18 Q Do you know whether Ms. Munksgaard  
19 ever requested that information?

20 A I don't think she actually asked  
21 for the information, but he sends that  
22 information.

23 Q Did you have any direct  
24 communications with Mr. Amstrup at this time?

25 A I did not have any communication

CONFIDENTIAL  
Christian Ekstrand - May 7, 2021

Page 221

1 Q So this is the first time, to the  
2 best of your knowledge, that anyone proposes  
3 that the reclaim process may be shut down  
4 with respect to particular companies?

5 MR. WEINSTEIN: Objection to form.

6 A Yes, that is all that I know. And  
7 that on the meeting on the 6th, a memo was  
8 drafted to start refunds.

9 Q So it's fair to say that Ms. Madsen  
10 concluded that the fraud was potentially  
11 ongoing, correct?

12 A Yes, and she was unable to compute  
13 that because, in the meantime, since we  
14 received the first report from authority, in  
15 that connection, we also get additional  
16 information stating that the authority in  
17 question expects that there will be a new  
18 attempt to get dividend -- withheld dividend  
19 tax refunded, and this will be around August  
20 10th.

21 Based on the information that we  
22 received, that's why she reached this  
23 conclusion that, within this area, you needed  
24 to recommend to stop refund payments.

25 Q You referenced a report from a

CONFIDENTIAL  
Christian Ekstrand - May 7, 2021

Page 222

1 foreign authority.

2 When did you receive that report?

3 A Towards the end of July.

4 Q And what was that report?

5 A So you're just -- you're asking  
6 sort of the gist of the report that they  
7 made?

8 Q Well, who made the report?

9 A The report came from a foreign  
10 authority.

11 Q Which foreign authority?

12 A It was from the MRC in the U.K.,  
13 HMRC.

14 Q What is the HMRC?

15 A These are the U.K. custom and tax  
16 authorities.

17 Q To whom at SKAT was this report  
18 made?

19 A To the relevant authority. They  
20 are the ones who handle communications with  
21 foreign authorities.

22 Q Do you know the name of the person  
23 at SKAT who received the communication from  
24 HMRC?

25 A And so initially it was sent to a